

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of these amendments, claims 4, 7 and 11 will be pending, wherein it is proposed to amend claims 4, 7 and 11 into independent form and cancel claims 8-10, 16-18 and 20.

Entry of these amendments is appropriate in the period after a final rejection because these amendments merely place claims 4, 7 and 11 into independent form, which would not require further search and/or consideration. Moreover, these amendments place claims 4, 7 and 11 into immediate condition for allowance.

Claims 1, 3, 4, 6-8, 11, 16, 17 and 20 are rejected under 35 U.S.C. § 103(a) for obviousness in view of the combination of U.S. Patent No. 6,882,906 to Geisler et al. ("Geisler") and U.S. Patent Application Publication No. 2003/0144005 to Videtich ("Videtich"). Claims 9, 10 and 18 are rejected under 35 U.S.C. § 103(a) for obviousness in view of the combination of Geisler, Videtich and U.S. Patent No. 6,330,499 to Chou et al. ("Chou"). These grounds of rejection are respectfully traversed.

Claim 4 recites a method that involves individually configuring, based on the user input or data from the service control center, at least one of the modules to activate or deactivate the at least one of the modules, wherein modules related to safety are modifiable only by the stationary service control center. These

features are not disclosed or suggested by Geisler, Videtich and Chou, either alone or in combination.

Geisler is directed to a system for managing vehicle information and interaction. Specifically, “the method weighs the estimated driving workload before displaying vehicle status messages and before allowing functions of the vehicle to be engaged.”¹ This is achieved using vehicle information and interaction manager 102 which “is located on a microprocessor contained in the vehicle.”² Thus, the entire process of Geisler, including controlling vehicle functions for safety purposes, *is performed within a vehicle*. Accordingly, there is nothing in Geisler disclosing or suggesting that “modules related to safety are modifiable only by the stationary service control center.”

Videtich discloses a system for monitoring vehicle preferences at a call center 150. Videtich also discloses that vehicles can receive data and install user preset settings.³ Thus, in contrast to Geisler which performs safety control entirely within the vehicle, Videtich only discloses sending user presets from outside of the vehicle. Accordingly, there is nothing in either Geisler or Videtich disclosing or suggesting that that “modules related to safety are modifiable only by the stationary service control center.”

The rejection of claim 4 cites various portions of Geisler for the proposition that “the driver is restricted to modify safety-relevant modules for safety

¹ Column 2, lines 25-28.

² Column 2, lines 57-58.

³ Paragraph 0042.

purposes.” Although Geisler does disclose limiting the driver’s ability to use certain functions based on safety issues, Geisler achieves this by using “a microprocessor contained in the vehicle.”⁴ There is nothing in either Geisler or Videtich disclosing or suggesting that this specific control should *only be modifiable outside of the vehicle*, and in fact Geisler disclosing just the opposite, i.e., only modifying controls within the vehicle.

To support the combination of Geisler and Videtich the Office Action states that one skilled in the art would have been motivated “for real time control elements adjustment and convenience.” Geisler, however, already provides real time control element adjustment using “a microprocessor contained in the vehicle.”⁵ Thus, the Office Action has not set forth a reason why one skilled in the art would have been motivated to ignore the express disclosure of Geisler and move control of certain functions, specifically control of modules related to safety, outside of the vehicle.

Because the combination of Geisler and Videtich does not disclose or suggest all of the elements of claim 4, and one skilled in the art would not have been motivated to modify these patent documents to arrive at the method of Applicants’ claim 4, the combination does not render claim 4 obvious.

Independent claim 7 recites a method “wherein function parameters of the modules are modifiable only by the stationary service control center.”

⁴ Column 2, lines 57-58.

⁵ Column 2, lines 57-58.

Accordingly, the combination of Geisler and Videtich does not render claim 7 obvious for similar reasons to those discussed above with regard to claim 4.

Claim 11 recites a method “wherein the modules are classified based on criteria, with the classification being linked to a restriction to the capability to configure the modules.” The Office Action cites column 3, lines 19-34 of Geisler for the disclosure of this claim element. This section of Geisler discusses that, depending upon driving workload, cellular phone functions can be restricted or disabled. There is nothing in this or any other section of Geisler disclosing or suggesting *classifying* modules *based on criteria linked to a restriction* to the capability to *configure* modules. Instead, Geisler at most discloses controlling whether functions of a vehicle can be accessed. Videtich does not remedy this deficiency of Geisler.

Chou is cited for elements of canceled dependent claims 9, 10, 18 and 20, but does not remedy the above-identified deficiencies of the combination of Geisler and Videtich.

For at least those reasons set forth above, it is respectfully requested that the rejection of claims 4, 7 and 11 be withdrawn.

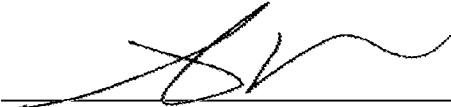
If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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Amendment Dated: December 1, 2008
Reply to Office Action: September 4, 2008
Attorney Docket No. 095309.57224US

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 095309.57224US).

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Stephen W. Palan', is written over a horizontal line.

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